

Marcia Hofmann (SBN 250087)  
ZEITGEIST LAW PC  
25 Taylor St.  
San Francisco, CA 94102  
Email: marcia@zeitgeist.law  
Telephone: (415) 830-6664

Counsel for Plaintiff CORA CURRIER

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

CORA CURRIER,

Plaintiff,

v.

DEPARTMENT OF HOMELAND SECURITY,  
DEPARTMENT OF STATE,  
DEPARTMENT OF JUSTICE, and  
DEPARTMENT OF DEFENSE,

Defendants.

Case No. 3:17-cv-01799-JSC

**JOINT STATUS REPORT**

Date: October 26, 2017

Time: 1:30 p.m.

Place: Courtroom F, 15th Floor

Magistrate Judge Jacqueline Scott Corley

Plaintiff Cora Currier and Defendants—the Department of State (DOS), the Department of Justice (DOJ), the Department of Defense (DOD), and the Department of Homeland Security (DHS)—respectfully submit this Joint Status Report pursuant to the Court’s Minute Order of September 28, 2017 [ECF No. 33].<sup>1</sup>

1. This case arises from multiple Freedom of Information Act (FOIA) requests submitted by Plaintiff, dated February 1, 2017, and April 3, 2017. The requests seek records from the four defendant agencies, including from multiple offices and/or sub-agencies within them.

2. The parties have been filing periodic joint status reports and participating in period status conferences since the Court denied Plaintiff’s Motion for Preliminary Injunction on August 24, 2017. The parties also have been conferring about the scope and prioritization of Plaintiff’s FOIA requests.

<sup>1</sup> The components of DOJ and DHS that are processing Plaintiff’s requests are: (1) the Executive Office for United States Attorneys (“EOUSA”); (2) the Federal Bureau of Investigation (“FBI”); (3) the Office of Legal Counsel (“OLC”); (4) the Office of Information Privacy (“OIP”); (5) the U.S. Marshals Service (“USMS”); (6) the DHS Privacy Office (“DHS-PRIV”); (7) U.S. Customs and Border Protection (“CBP”); and (8) DHS’s Office of the Inspector General (“DHS-OIG”).

3. Updates since the last joint status conference, held on September 28, 2017, are below.

**Production Updates and Status**

4. DOJ-EOUSA: Interagency review of records from EOUSA remains ongoing. These records require review by multiple agencies. EOUSA has received responses from DHS-CBP, DHS-PRIV, and DOJ's Criminal Division. Consultations with DOJ-OIP and the Civil Division of DOJ remain outstanding. Although the timing of the consultations depends on factors outside EOUSA's control, EOUSA anticipates that EOUSA's processing of Plaintiff's FOIA requests to EOUSA will be completed by the end of the calendar year.

5. DOJ-OLC: Since the parties' last joint status report, OLC has completed its initial manual responsiveness review and deduplication of the potentially responsive records that it has not already released to Plaintiff. This review reduced the volume of potentially responsive records requiring further review for responsiveness and potential withholdings from over 26,000 documents to approximately 4,800 documents. As previously indicated, OLC anticipates beginning rolling productions of the remaining records no later than October 31, 2017, and commits to rolling productions on approximately a monthly basis thereafter.

6. DOJ-OIP: OIP has now completed its initial manual responsiveness review of over 16,500 potentially responsive documents collected in response to Plaintiff's FOIA requests to OIP. Following this review, approximately 2,000 documents are still considered potentially responsive and require further review for responsiveness and potential withholdings. OIP anticipates making its next production by the end of this week. OIP also is actively reviewing records received from other agencies in response to requests for interagency review.

7. DOD: DOD made a release on October 3, 2017. DOD anticipates making its next release shortly.

8. DOS: DOS is making rolling releases on approximately a monthly basis. Since the last status conference, DOS made a release on October 10, 2017. For that release, DOS processed over 300 pages, which resulted in 34 pages being released in full or in part.

9. DHS-PRIV: DHS-PRIV is making rolling releases on approximately a monthly basis. Since the last status conference, DHS-PRIV made a release on October 16, 2017. For that release, DHS-

JOINT STATUS REPORT, Case No. 3:17-CV-01799-JSC - Page 2

PRIV reviewed 522 pages, resulting in 30 pages being released in full, 106 pages being released in part, 42 pages being withheld in full, and 276 pages being deemed duplicative or non-responsive. DHS-PRIV also sent 68 pages of records to other agencies for interagency review.

10. DHS-CBP: DHS-CBP is making rolling productions on approximately a monthly basis. Since the last status report, CBP made a release on October 24, 2017, releasing 250 pages in full or in part and withholding 19 pages in full.

11. The status for DOJ-USMS, DHS-OIG, and DOJ-FBI remains unchanged from the parties' last joint status report.

Date: October 25, 2017

Respectfully submitted,

CHAD A. READLER  
Acting Assistant Attorney General

BRIAN STRETCH  
United States Attorney

ELIZABETH J. SHAPIRO  
Deputy Branch Director

/s/ Matthew J. Berns  
MATTHEW J. BERNs  
Trial Attorney  
U.S. Department of Justice  
Civil Division, Federal Programs Branch  
20 Massachusetts Avenue NW  
Washington, DC 20530  
(202) 616-8016  
(202) 616-8470 (Fax)  
Matthew.J.Berns@usdoj.gov

*Counsel for Defendants*

/s/ Marcia Hofmann  
Marcia Hofmann  
ZEITGEIST LAW PC  
25 Taylor Street  
San Francisco, CA 94102  
Email: marcia@zeitgeist.law  
Telephone: (415) 830-6664

*Counsel for Plaintiff Cora Currier*

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

/s/ Marcia Hofmann  
Marcia Hofmann